

K&L GATES

Frederic J Giordano
Partner
frederic.giordano@klgates.com

T +1 973 848 4035
F +1 973 848 4001

February 15, 2024

Honorable Lorna G. Schofield
United States District Judge
United States District Court for the Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: Ezrasons, Inc. v. The Travelers Indemnity Company 1:21-cv-03165-LGS

Dear Judge Schofield:

Plaintiff Ezrasons, Inc. (“Ezrasons” or “Plaintiff”) and Defendant The Travelers Indemnity Company (“Travelers” or “Defendant”) jointly submit this letter pursuant to the Court’s January 18, 2024 Memo Endorsement (ECF 40) on Travelers’ January 17, 2024 letter to the Court (ECF 39).

The Parties were unable to agree on a proposed Order of Judgment, and do not agree on the amount of costs this Court should award to Plaintiff. Nor do the Parties agreed on how to proceed.

Plaintiff proposes that this Court enter judgment in favor of Plaintiff as Plaintiff set forth in its letter to this Court dated February 13, 2024 (ECF 42). Defendant, per its letter dated February 15, 2024 (ECF 43), proposes discrete discovery from Plaintiff to allow the Court to determine whether or not Plaintiff is actually entitled to the \$350,000 that it claims.

K&L GATES LLP
ONE NEWARK CENTER TENTH FLOOR NEWARK NJ 07102
T +1 973 848 4000 F +1 973 848 4001 klgates.com

Anthony P. La Rocco, Managing Partner, New Jersey
317845918.1

Respectfully submitted,

<p>K&L Gates LLP</p> <p><u>/s/ Frederic J. Giordano</u></p> <p>Frederic J. Giordano frederic.giordano@klgates.com 599 Lexington Avenue New York, NY 10022 and One Newark Center, 10th Floor Newark, NJ 07102 (973) 848-4035</p>	<p>Lennon Murphy & Phillips LLC</p> <p><u>/s/Charles E. Murphy</u></p> <p>Charles E. Murphy cmurphy@lmpaw.net The GrayBar Building, Suite 300 420 Lexington Ave. New York, NY 10170 (212) 490-6050</p>
---	--